

**REMARKS**

In response to the final office action mailed 6 July 2005, Applicants submit the foregoing amendments to the claims: claims 1, 6, 23 and 29 are currently amended, claims 5 and 28 are canceled without prejudice, and claims 46-89 are new. These new claims have been added to more clearly point out and claim the present invention. Support for these claims may be found throughout the specification, *e.g.*, at paragraph 0029 and Figures 2A, 2B and 2C. Applicants further submit that these claims present no new subject matter. Without acquiescing to the Examiner's rejections, the foregoing amendments to the claims are made solely to expedite prosecution. Applicants reserve the right to pursue canceled or deleted subject matter in later prosecution.

In the office action, the Examiner maintained rejections of claims 1-4, 7-27, 30-45 as obvious over U.S. Patent No. 4,402,524 (D'Antonio) in view of U.S. Patent No. 4,467,236 (Kolm) and objected to claims 5, 6, 28 and 29 as being dependent on rejected independent base claims. The Examiner stated that claims 5, 6, 28 and 29 would be allowed if rewritten in independent form including all the limitations of both the dependent and base claims. Applicants traverse these rejections and objections; however, in order to comply with the Examiner's recommendation and to expedite prosecution, Applicants propose canceling claim 5 and amending claim 1 to include all the features of claim 5. Applicants further propose amending claim 6 to depend on independent claim 1 rather than depend on canceled claim 5.

To comply further with the Examiner's recommendations and to speed prosecution, Applicants propose canceling claim 28 and amending claim 23 to include all the features of claim 28. Applicants also propose amending claim 29 to depend on independent claim 23 rather than depend on canceled claim 28.

Applicants have complied with the Examiner's suggestions in regard to claims 5 and 28 and now present proposed independent claims 1 and 23. Accordingly, these claims are now in condition for allowance. Dependent claims 2-4, 6-22, 24-27 and 29-45 now depend on these allowable base claims and, therefore, are also in condition for allowance. Applicants respectfully request allowance of claims 1-4, 6-27 and 29-45.

Applicants also submit proposed new claims 46-89. New, independent claim 46 comprises the features of previously presented claim 1 and the added feature of "a plurality of

stacked piezoelectric elements of different geometrical sizes stacked from smallest to largest.” New, independent claim 68 comprises the features of previously presented claim 23 and the added feature of “arranging a plurality of piezoelectric elements of different geometrical sizes into a stack from largest to smallest.” New, dependent claims 47-67, 69 and 71-89 correspond to previously presented claims 2-22, 24 and 26-45 respectfully.

These new claims are not anticipated by or obvious in light of the cited prior art. The cited prior art does not teach or suggest “a plurality of stacked piezoelectric elements of different geometrical sizes stacked from smallest to largest” (claim 46) or “arranging a plurality of piezoelectric elements of different geometrical sizes into a stack from largest to smallest” (claim 68). D’Antonio does not teach using more than one piezoelectric element and therefore does not and cannot teach or suggest stacking more than one piezoelectric element. Kolm, while showing more than one piezoelectric element, does not show piezoelectric elements of different sizes. Kolm also does not teach or suggest stacking piezoelectric elements from smallest to largest or arranging them from largest to smallest. Furthermore, Morrow and McNight also do not teach or suggest stacking piezoelectric elements of different sizes from smallest to largest or arranging such elements into a stack from largest to smallest. Therefore, claims 46-89 are not anticipated or rendered obvious by the cited prior art.

Applicants request entry and consideration of new claims 46-89. In doing so, Applicants further submit that these claims are in condition for allowance and respectfully request allowance of these claims.

### **CONCLUSION**

Applicants have properly stated, traversed, accommodated, or rendered moot each of the Examiner’s grounds for rejection. Applicants submit that the present application is now in condition for allowance.

Applicants submit herewith additional claim fees in the amount of \$2300 for the additional 42 claims and 1 independent claim presented herein. No further fees are believed due in connection with the filing of this amendment. However, please charge any fees to the undersigned’s deposit account, No. 50-3483. If any extensions or fees are not accounted for, such extension is requested and the associated fee should be charged to the undersigned’s deposit account, No. 50-3483.

If the Examiner has any questions or believes further discussion will aid examination and advance prosecution of the application, a telephone call to the undersigned is invited.

Respectfully submitted,



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